

Summary of Work by Task Force to Study Group Home Education and Placement Practices

I. Task Force Established

Senate Bill 476, Task Force to Study Group Home Education and Placement Practices, was passed by the General Assembly and signed by the Governor during the 2007 legislative session. The Task Force was required to examine the current status of group home education and placement practices and to make recommendations for future requirements for the placement of children.

The Task Force members included:

Legislators:

Senator Robert Zirkin, Chair
Senator Anthony Muse
Delegate Stephen Lafferty
Delegate Todd Schuler

State Departments:

Secretary Brenda Donald, Department of Human Resources (DHR)
Secretary Donald DeVore, Department of Juvenile Services (DJS)
Barbara DiPietro, Department of Health and Mental Hygiene (DHMH)
Steven Sorin, Maryland State Department of Education (MSDE)
Abbie Riopelle, Office of the Public Defender
Cheri Gerard, Department of Budget and Management (DBM)

Local Departments of Social Services:

Karen Lynch, Prince George's County Department of Social Services
Tim Griffith, Baltimore County Department of Social Services

Local Coordinating Council:

Paula Fisher, Washington County Local Coordinating Council

Non-Profit Providers:

Frank Kros, The Children's Guild
Sheryl Brissett-Chapman, National Center for Children and Families

Child Advocacy Community:

Kathleen Gardiner Aron, Coalition to Protect Maryland's Children *
Jim McComb, Maryland Association of Resources for Families and Youth *

* Resigned

Governor's Office for Children
Cassie Motz
Delores Briones
Greg Shupe

State Coordinating Council
Linda Carter (resigned 4/15/2008)
Sarah Reiman (appointed 7/15/2008)

Staff: Shelley Tinney

II. Group Home Data

The Task Force reviewed data on group homes from the Department of Human Resources, Department of Juvenile Services and Governor's Office for Children. The data reviewed included:

- group home licensing by location;
- point of time census surveys of group home providers;
- cross-jurisdictional placements of children;
- degree of co-mingling, capacity of current group homes; and
- the current licensing process.

It was determined by the Task Force that these issues needed to be addressed and studied. As a result, the Task Force convened four workgroups. These workgroups included:

- **Statement of Need Workgroup**

This workgroup was charged with exploring alternatives to the current method of recruiting new group homes. This was an effort to create a system that would be driven by the needs of children and the placement agencies. The workgroup reviewed the following:

- current placement process;
- RFP process;
- certificate of need process; and
- performance based contracting.

The workgroup reviewed data on where group homes are located and how they are licensed. Based on discussion during Task Force meetings, some members determined it was necessary to introduce legislation to create a statement of need in order for the departments that place children in group homes to control where and when these group homes are licensed. The Task Force supported the legislation.

- **Education Standards/Placements Workgroup**

This workgroup was established to study how the educational needs of youth impact placement decisions; how youth living in group homes are tracked by the educational system; and the expectations for group homes to provide academic support and summer enrichment programs for youth in their care. The workgroup provided information to the Task Force related to the responsibility of the State or local placing agency for children of compulsory school age to be enrolled in the local school system, and the responsibility of the local school system when children who reside in group homes are enrolled in school. It is the responsibility of the State or local placing agency case manager to monitor education progress for individual children.

- **Needs of Children and Group Home Expectations Workgroup**

This workgroup was established to study how the needs of youth in care are assessed and how those assessments correlate with the State's expectations for services to be delivered by group homes.

- **Report Card Workgroup**

This workgroup was established to identify and examine a report card model to use in Maryland. The workgroup was tasked with the development of a report card to measure group home performance across the agencies. The workgroup was made up of representatives from DHR, DJS and DHMH, providers and advocates. The workgroup determined that a report card could be developed without legislation.

III. Task Force Accomplishments

Informed by discussion with Task Force members, Chairman Zirkin introduced bills during the 2008 Legislative Session related to residential child care.

Statement of Need

The Statement of Need is a licensing process that is driven by the needs of the children and placement agencies. The Task Force reviewed the demographics of children in group homes. The data indicated that there is a misalignment of resources in the State in that a few counties have nearly all of the group home capacity; resulting in many children traveling across jurisdictional boundaries to find needed resources. While some counties have more children in their county from other jurisdictions than they do from their own; some counties have no resources whatsoever.

During the 2008 legislative session, SB 782 Residential Child Care – Statement of Need was introduced by Senator Zirkin and approved by the General Assembly. SB 782 requires the departments of Human Resources and Juvenile Services to issue a county-specific statement of need:

- before a residential child care program is issued a license;
- an existing program is relocated;
- an existing site is expanded; or
- the number of placements in an existing program is increased.

Further, this legislation requires that a licensing agency must consider the special needs of the affected children when developing a statement of need. DHR and DJS must publish notice of the statement of need in the Maryland Register.

The Statement of Need legislation went into effect on October 1, 2008. Procedures for developing a statement of need and the process for accepting proposals are being developed by each agency.

Bill of Rights

This initiative requires a residential child care provider to conspicuously post a Residents' Bill of Rights in a residential child care facility.

During the 2008 session, SB 742 Human Services - Residential Child Care Program - Bill of Rights was introduced by Senator Zirkin and approved by the General Assembly. This legislation requires residential child care providers, including those licensed by the Developmental Disabilities Administration, to conspicuously post a Residents' Bill of Rights in a facility. The bill of rights establishes a resident's right to be treated fairly and receive appropriate educational and guidance services in an environment that is free of discrimination or abuse. Residential child care providers are also required to develop and distribute a handbook that includes specified information about the provider's policies and procedures. Residential Child Care Providers must document receipt of the handbook by each child receiving care and his or her parents or guardians.

The agencies developed a Bill of Rights for all youth in residential child care facilities and sent it to all licensed residential child care facilities in Maryland. An outline of requirements for provider implementation of the Bill of Rights and Resident Handbooks was also developed and sent to all residential child care facilities in Maryland. The agencies will meet with providers to assist them with implementation of the requirements and have already provided them with copies of the Bill of Rights. Monitoring to ensure that all providers are complying will begin March 2009.

Certification of Residential Child Care Professionals

This initiative was based on recommendations from a Children's Cabinet report entitled "Recommendations for Direct Care Training and Certification." The report indicated that there is not standardized training for residential child care workers. The report recommended that professionalizing the role of direct care workers is the best method to attract dedicated individuals to the field and to maintain a well-trained workforce necessary to meet the needs of youth in out-of-home care.

During the 2008 session, SB 783 - Residential Child Care Programs - Certification of Residential Child Care Program Professionals was introduced by Senator Zirkin and approved by the General Assembly. SB 783 renames the board the State Board for Certification of Residential Child Care Program Professionals and adds a residential child and youth care practitioner to the board. It further expands the purview of the State Board for Certification of Residential Child Care Program Administrators to include the certification of residential child and youth care practitioners, standardizes the type of training received prior to working with children and requires testing of staff to assure their competence.

The Board has sent a notice to all residential child care programs and certified program administrators regarding the certification requirement and name change. The Board is in the process of drafting regulations and developing the exam. The Maryland Association of Resources for Families and Youth (MARFY), in collaboration with Baltimore City Community College has developed a curriculum for this certification process and has initiated courses. These courses will be offered statewide at community colleges. Practitioners are required to be certified by the board no later than October 1, 2013.

Group Home Report Card

The Task Force sought to develop a report card which addresses varying levels of quality performance in the delivery of group home services. Significant literature was reviewed and numerous models studied.

A template for the report card was developed for initial implementation by DHR in January 2009. Currently DJS and DHMH are reviewing this template, and feedback is being sought from the provider community. The plan is to begin implementation by the summer of 2009. No legislation is needed to develop and implement the report card.